

This instrument prepared by:
Herbert W.A. Thiele, Esq.
County Attorney
Leon County Attorney's Office
301 South Monroe Street, Suite 217
Tallahassee, Florida 32301

PERFORMANCE AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, A.D. 2005, between **Richard S. Kearney**, hereinafter called the "Developer", and **LEON COUNTY**, a political subdivision of the State of Florida, hereinafter called "the County".

WHEREAS, the Developer has presented to the Board of County Commissioners of Leon County, Florida, a certain map or plat of a subdivision named and designated Bannerman Corner, which map or plat is hereby referred to and made a part hereof by reference; and

WHEREAS, as a condition to the acceptance and recording of said map or plat, the County has required that the Developer enter into an agreement to install the stormwater drainage facilities on the 30-foot private drainage easement, which is more particularly described as being located across the southeastern portion of Lots 1, 6, and 7 and adjacent to Thomasville Road in the Bannerman Corner Subdivision as depicted on the map attached hereto as Exhibit "A", in accordance with plans and specifications approved by the County within a period of one (1) year from the date hereof, and to post bond in the amount of \$25,000.00 conditioned upon the faithful performance of said agreement, said bond to have as surety thereon some surety company authorized to do business under the laws of the State of Florida.

NOW THEREFORE, THIS INDENTURE WITNESSETH: That the Developer hereby agrees to install the stormwater drainage facilities on the 30-foot private drainage easement, which is more particularly described as being located across the southeastern portion of Lots 1, 6, and 7 and adjacent to Thomasville Road in the Bannerman Corner Subdivision as depicted on the map attached hereto as Exhibit "A", in accordance with plans and specifications approved by the County within a period of one (1) year from the date hereof.

PERFORMANCE OF THIS AGREEMENT by the Developer shall be secured by a surety bond in the amount of \$25,000.00 with surety thereon approved by the County.

IN WITNESS WHEREOF, Richard S. Kearney and Leon County, Florida have caused these presents to be executed on the day and year first above written.

Witnesses:

DEVELOPER

(signature)

(typed or printed name)

(signature)

(typed or printed name)

Richard S. Kearney

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this _____ day of _____, 2005, by Richard S. Kearney, who is personally known to me, or has produced _____ as identification.

NOTARY PUBLIC

Signature _____

Typed or Printed Name _____

Commission Number _____

My Commission expires _____

LEON COUNTY, FLORIDA

BY: _____

Cliff Thaell, Chairman
Board of County Commissioners

ATTEST:

Bob Inzer, Clerk of the Circuit Court
Leon County, Florida

BY: _____
Clerk

APPROVED AS TO FORM:
Leon County Attorney's Office

BY: _____
Herbert W.A. Thiele, Esq.
County Attorney

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